

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO NUTRITIONISTS; REVISING
5 LICENSING REQUIREMENTS FOR A NUTRITIONIST TO INCLUDE CERTIFICATION BY A NATIONALLY
6 RECOGNIZED AND ACCREDITED CERTIFICATION ENTITY; AND AMENDING SECTIONS 37-25-102, 37-
7 25-302, AND 37-25-305, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 37-25-102, MCA, is amended to read:

12 **"37-25-102. Definitions.** In this chapter, unless the context requires otherwise, the following
13 definitions apply:

14 (1) "Accredited" means accredited through the council on postsecondary accreditation and the
15 U.S. department of education.

16 (2) "Board" means the board of medical examiners.

17 ~~(3) "Commission" means the commission on dietetic registration, which is a member of the national~~
18 ~~commission for health certifying agencies.~~

19 ~~(4)~~(3) "Dietetic-nutrition practice" or "dietetics-nutrition" is the integration and application of principles
20 derived from the sciences of nutrition, biochemistry, physiology, and food management and from the behavioral
21 and social sciences to achieve and maintain health. The primary function of dietetic-nutrition practice is to
22 provide nutrition assessment and nutrition counseling.

23 ~~(5)~~(4) "General nutritional information" means information on:

24 (a) principles of good nutrition;

25 (b) foods to be included in a daily diet;

26 (c) the essential nutrients needed by the body;

27 (d) recommended amounts of these nutrients;

28 (e) the action of these nutrients on the body;

- 1 (f) the effects of deficiencies in these nutrients; or
- 2 (g) foods and supplements that are good sources of essential nutrients.
- 3 ~~(6)(5)~~ "Licensed nutritionist" means a nutritionist licensed under this chapter.
- 4 ~~(7)(6)~~ "Nutrition assessment" means the evaluation of nutritional needs of individuals and groups
- 5 based on appropriate biochemical, anthropometric, physical, and dietary data in order to determine nutrient
- 6 needs and to recommend appropriate nutritional intake, including both enteral and parenteral nutrition.
- 7 ~~(8)(7)~~ "Nutrition counseling" means providing assistance and advice to individuals or groups in the
- 8 selection of food and other sources of nutrients to achieve appropriate nutritional intake, based on:
- 9 (a) the nutrition assessment;
- 10 (b) the composition of food and other sources of nutrients; and
- 11 (c) meal preparation consistent with cultural background and socioeconomic status.
- 12 ~~(9)(8)~~ "Nutritionist" means:
- 13 (a) a person licensed under this chapter; or
- 14 (b) a person who has satisfactorily completed a baccalaureate and master's or a doctoral degree
- 15 in the field of dietetics, food and nutrition, or public health nutrition conferred by an accredited college or
- 16 university."

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18 **Section 2.** Section 37-25-302, MCA, is amended to read:

19 **"37-25-302. Licensing requirements.** (1) An applicant for licensure as a licensed nutritionist shall file

20 a written application with the board and demonstrate to the board that the person is registered or certified by

21 ~~the commission~~ a nationally recognized and accredited certification entity as approved by board rule.

22 (2) An applicant shall pay an application fee set by the board."

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24 **Section 3.** Section 37-25-305, MCA, is amended to read:

25 **"37-25-305. Representation to public as nutritionist -- limitation on use of title.** A person may not

26 represent to the public by any title, sign, or advertisement or description of services that the person is a

27 nutritionist or a licensed nutritionist unless the person has been licensed under this chapter or has met the

28 requirements of ~~37-25-102(9)(b)~~ 37-25-102(8)(b)."

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